

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ALICE KRAMER, as Personal Representative  
of the Estate of Arthur Kramer,

Plaintiff,

—against—

LOCKWOOD PENSION SERVICES, INC.,  
ET AL.,

Defendants.

Case No.: 08 CV 2429-DAB-MHD

**NOTICE OF MOTION TO ADMIT CHARLES J. VINICOMBE *PRO HAC VICE***

PLEASE TAKE NOTICE that Katherine L. Villanueva hereby moves this Court, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing the admission *pro hac vice* of:

Charles J. Vinicombe  
DRINKER BIDDLE & REATH LLP  
One Logan Square, 18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103  
Telephone: (215) 988-2700  
Facsimile: (215) 988-2757

Charles J. Vinicombe is a member of the firm of Drinker Biddle & Reath LLP, and he is a member in good standing of the Bar of the State of New Jersey. There are no pending disciplinary proceedings against Charles J. Vinicombe in any state or federal court.

Dated: May 23, 2008

DRINKER BIDDLE & REATH LLP

A handwritten signature in black ink, appearing to read 'Katherine Villanueva', written over a horizontal line.

Katherine L. Villanueva (KV5283)  
140 Broadway, 39<sup>th</sup> Floor  
New York, NY 10005  
(212) 248-3140

*Attorneys for Defendant Lincoln Life &  
Annuity Company of New York*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AFFIDAVIT OF KATHERINE L. VILLANUEVA IN SUPPORT OF MOTION FOR *PRO*  
HAC VICE ADMISSION

KATHERINE L. VILLANUEVA being duly sworn according to law, upon her oath deposes and says:

15. I am associated with the law firm of Drinker Biddle & Reath LLP, attorneys for Defendant Lincoln Life & Annuity Company of New York (“Lincoln”). I am familiar with the proceedings in this case. I make this statement based upon my personal knowledge of the facts set forth herein and in support of Lincoln’s motion for Charles J. Vinicombe to be admitted to participate in this action *pro hac vice*.

16. I am a member in good standing of the bar of the State of New York, and I was admitted to practice law in July 2005. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

17. I have known Charles J. Vinicombe since August 2006.

18. Mr. Vinicombe is an attorney with Drinker Biddle & Reath LLP and is a resident of Drinker Biddle's Philadelphia office. Mr. Vinicombe is a member of good standing of the Bar of the State of New Jersey. A copy of Mr. Vinicombe's certificate of good standing from the State of New Jersey is annexed hereto as Exhibit A.

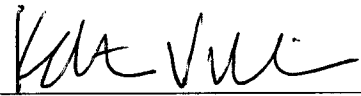
19. I have found Mr. Vinicombe to be a skilled attorney and person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.

20. Accordingly, I am pleased to move the admission of Charles J. Vinicombe, *pro hac vice* in this action.

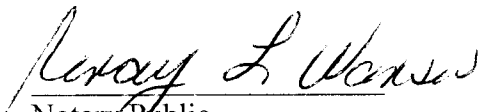
21. I respectfully submit a stipulation and proposed order granting the admission of Charles J. Vinicombe, *pro hac vice*, which is attached hereto as Exhibit B.

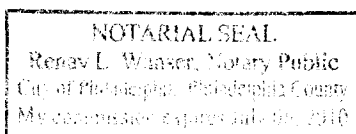
WHEREFORE it is respectfully requested that the motion to admit Charles J. Vinicombe, *pro hac vice*, to represent Defendant Lincoln Life & Annuity Company of New York in the above referenced matter, be granted.

Dated: May 23, 2008

  
Katherine L. Villanueva (KV5283)

Sworn to before me this 23rd  
day of May, 2008.

  
Notary Public



# Supreme Court of New Jersey

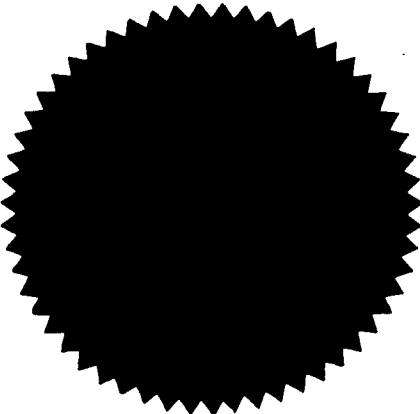


## Certificate of Good Standing

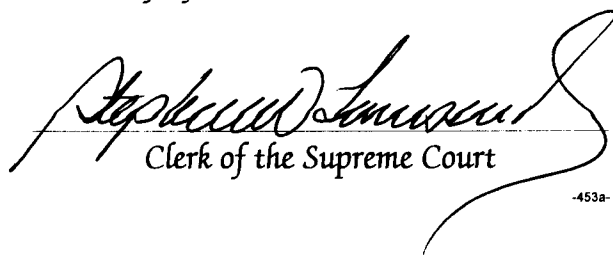
This is to certify that **CHARLES J VINICOMBE**  
(No. **006401990** ) was constituted and appointed an Attorney at Law of New  
Jersey on **June 07, 1990** and, as such,  
has been admitted to practice before the Supreme Court and all other courts of this State  
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in  
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"  
if the Court's records reflect that the attorney: 1) is current with all assessments  
imposed as a part of the filing of the annual Attorney Registration Statement, including,  
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client  
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not  
resigned from the Bar of this State; and 4) has not been transferred to Disability  
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's  
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to  
practice law in this State.*



In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
15TH day of May , 20 08

  
Clerk of the Supreme Court

**CERTIFICATE OF SERVICE**

I, Katherine L. Villanueva, hereby certify that on the date set forth below, I mailed copies of the foregoing documents via Federal Express to the following individuals:

Andrew A. Wittenstein  
Friedman & Wittenstein, P.C.  
600 Lexington Avenue  
New York, NY 10022  
(212) 750-8700  
Fax: (212) 223-8391

Stephen Ross Herbert  
Locke & Herbert  
1114 Avenue of The Americas, 40th Fl.  
New York, NY 10036  
(212) 935-8787  
Fax: (212) 935-5663

Christopher George Karagheuzoff  
Dorsey & Whitney LLP  
250 Park Avenue  
New York, NY 10177  
(212) 735-0793  
Fax: (212) 953 7201

I also hereby certify that on the date set forth below, I submitted courtesy copies of the aforementioned, marked as courtesy copies, by overnight Federal Express to the following:

The Honorable Deborah A. Batts, USDJ  
United States Courthouse  
500 Pearl St., Room 2510  
New York, NY 10007  
(two copies)

The Honorable Michael H. Dolinger, USMJ  
United States Courthouse  
500 Pearl St., Room 1670  
New York, NY 10007  
(one copy)

A handwritten signature in black ink, appearing to read "Kat Villanueva", written over a horizontal line.

Katherine L. Villanueva (KV 5283)  
Drinker Biddle & Reath LLP  
140 Broadway, 39<sup>th</sup> Floor  
New York, NY 10005  
(212) 248-3140

Dated: May 23, 2008

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**ORDER GRANTING MOTION TO PRACTICE *PRO HAC VICE***

The motion for admission to practice *pro hac vice* in the above captioned matter is granted. The admitted attorney, Charles J. Vinicombe, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

IT IS SO ORDERED.



Dated: May \_\_, 2008

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Judge Deborah A. Batts